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Attorney for Defendant RAYMOND V. MANCILLAS

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

RAYMOND V. MANCILLAS,

Defendant.

2:10-mj-741-GWF

**UNOPPOSED MOTION TO MODIFY
CONDITIONS OF RELEASE**
(Expedited Treatment Requested)

COMES NOW, defendant, Raymond V. Mancillas, by and through his attorney of record, Jason F. Carr, Assistant Federal Public Defender, and hereby moves this Court to modify the current release condition requiring Mancillas to reside at the Las Vegas Community Corrections Center (LVCCC) (half-way house) on lock-down status pending a hearing on pretrial release violations in the Central District of California. Mancillas requests this condition be modified to allow him to leave the Center for work release purposes.

The government does not oppose this Motion.

The basis for this request is that Mancillas has been offered employment and he does have two dependant children. Additionally, the Central District of California has set the pending revocation hearing for October 20, 2010, which may be further in the future than this Court anticipated when initially fashioning Mancillas' release conditions.

1 This Motion is based on the attached declaration of counsel.

2 DATED this 1st Day of October 2010.

3 FRANNY A. FORSMAN
4 Federal Public Defender

5 */s/ Jason F. Carr*

6 By: _____
7 JASON F. CARR
8 Assistant Federal Public Defender
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DECLARATION OF COUNSEL

STATE OF NEVADA)
)
COUNTY OF CLARK) ss:

I, Jason F. Carr, hereby declare, pursuant to 28 U.S.C. § 1746, as follows:

1. I am a full time Assistant Federal Public Defender for the District of Nevada. My normal duties include, *inter alia*, handling trial, direct appeals and litigating post-conviction suits for individuals courts appointed the Federal Public Defender for the District of Nevada to represent.

2. That on September 22, 2010, this Court appointed the Federal Public Defender for the District of Nevada in *United States v. Mancillas*, 2:10-mj-00741-GWF, as local counsel for Mancillas pending further pretrial release revocation proceedings set to occur in the Central District of California. (*See* Docket Entry (DE) 4.)

3. That this Court released Mancillas pending said hearing subject to a number of conditions including Pretrial Services supervision and a requirement that Mancillas reside at the LVCCC (half-way house) on lock-down status. (*See* DE 1, 5.)

4. That Mancillas recently contacted undersigned counsel to inform him of a firm job offer from a Singular Wireless store, located on Tropicana Avenue, in Las Vegas, Nevada.

5. That counsel originally informed Mancillas that the court in the Central District of California was empowered to amend his release conditions once the pretrial release violation hearing occurred. Counsel was then laboring under the impression there would be a relatively quick court setting.

6. That counsel recently learned the date of the hearing set in the Central District of California is set for October 20, 2010.

7. That counsel then contacted Assistant United States Attorney Kathryn Newman and inquired whether the government objected to allowing Mancillas work-release privileges at the LVCCC. The government, given the protracted time to a hearing, and the difficulties present in the current local job market, and the fact that Mancillas does have minor children, graciously agreed to not oppose amending Mancillas' pre-hearing release order to allow for work-release. This counsel appreciates the government's position on this request.

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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ORDER

Based on the representations of counsel, it is hereby Ordered that the pre-hearing release conditions attached to Defendant Raymond V. Mancillas' release order be hereby amended to remove the requirement that Mancillas be placed on lock-down status at the Las Vegas Community Corrections Center and further amended to allow Mancillas work release privileges at the facility.

DATED this 4th day of October 2010.



GEORGE FOLEY, JR.
United States Magistrate Judge